

GAHC010050002025



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/1400/2025

HENILA MARAK
W/O LATE ELIOTH FIELD SANGMA, R/O KATASIBARI, P.O.- CHOTIPARA,
P.S.- AGIA, DIST- GOALPARA, ASSAM, PIN - 783126

VERSUS

THE STATE OF ASSAM AND 7 ORS
THROUGH THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT
OF ASSAM, PENSION AND PUBLIC GRIEVANCES DEPARTMENT, DISPUR,
GUWAHATI-781006

2:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
FINANCE (ESTT-A) DEPARTMENT
DISPUR
GUWAHATI-781006

3:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
ELEMENTARY EDUCATION DEPARTMENT
DISPUR
GUWAHATI-6

4:THE DIRECTOR OF PENSION
ASSAM
HOUSEFED COMPLEX
DISPUR
GUWAHATI-781006

5:THE ACCOUNTANT GENERAL (A AND E)
ASSAM
MIADAMGAON
BELTOLA
GUWAHATI-781038

6:THE TREASURY OFFICER
GOALPARA
P.O.- GOALPARA
DIST- GOALPARA
ASSAM
PIN-783124

7:THE PRINCIPAL
BTC
DUDHNOI
GOALPARA
DIST- GOALPARA
ASSAM
PIN-783124

8:ABHA DAS
W/O LATE ELIOTH FIELD SANGMA @ ELIOTH FILD D. SNAGMA
R/O KATASIBARI
P.O.- CHOTIPARA
P.S.- AGIA
DIST- GOALPARA
ASSAM
PIN-78312

Advocate for the Petitioner : MR F HAQUE, MR A ISLAM

Advocate for the Respondent : GA, ASSAM, SC, AG,SC, FINANCE,SC, ELEM. EDU

BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN

ORDER

12.03.2025

Heard Mr. F. Haque, learned counsel for the petitioner. Also heard Mr. B. Deuri, learned Government Advocate, Assam, appearing for respondent Nos.1 and 4, Ms. S. Chutia, learned standing counsel, Education (Elementary) Department, appearing for the respondent No.3, Ms. R.M. Baruah, learned counsel appearing on behalf of Mr. R. Borpujari, learned standing counsel, Finance Department, for the respondent No.2 and Mr.

D. Bhattacharya, learned standing counsel, AG, appearing for the respondent No.5.

In this petition under Article 226 of the Constitution of India, the petitioner, namely, Henila Marak has prayed for issuing direction to the respondent authorities to sanction and pay the family pension of the petitioner by issuing Pension Payment Order (PPO).

Mr. Haque, learned counsel for the petitioner submits that the petitioner is the first wife of Late Elioth Field Sangma, who was working as Principal of BTC, Dudhnoi, Goalpara and he retired from service and he was also granted pension vide PPO No.912211219968 till the date of his expiry on 06.08.2023. Thereafter, the petitioner has obtained next of kin certificate dated 29.11.2023 and thereafter, she filed one representation before the authority concerned on 30.11.2024 for releasing her pension and also she has enclosed the No Objection Certificate given by the respondent No.8. But the same failed to evoke any response from the respondent authorities. Being aggrieved, the petitioner approached this Court by filing the present writ petition with the aforementioned relief.

Let notice be issued to the respondents, returnable on 10.04.2025.

No formal notice is required to be issued in respect of respondent Nos.1—5, as they are represented by their respective standing counsel. However, extra requisite copy of the petition be served upon the learned counsel appearing for the respondents during the course of the day.

Petitioner to take step upon the remaining respondents by registered post with A/D and also by usual process within two working days from today.

List the matter on 10.04.2025.

Sd/- Robin Phukan
JUDGE

Comparing Assistant